

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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INA STEINER, DAVID STEINER, and	)	
STEINER ASSOCIATES, LLC,	)	Civil Action No. 21-CV-11181-PBS
Plaintiffs,	)	Jury Trial 1/5/2026
v.	)	
EBAY INC., et al.,	)	
Defendants.	)	

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~~[PROPOSED]~~ ORDER FOR PRETRIAL CONFERENCE

The above-entitled action will be called for a **Pretrial Conference on December 3, 2025 at 2:30 pm (in person)** at the John Joseph Moakley Courthouse Boston, MA Courtroom No.19-7th floor.

**ATTENDANCE:**

Unless excused by the Court, each party shall be represented at the pretrial conference by counsel who will conduct the trial. Counsel shall confer with their clients and with each other no later than (14) fourteen days before the pretrial conference to explore the possibilities of settlement and shall be prepared to advise the Court as to the prospects of settlement.

**PRETRIAL MEMORANDUM - DATE DUE: 11/26/2025**

By (90 days before FPTC), the parties shall make all expert disclosures as required by Fed. R. Civ. P. 26(a)(2).

By November 3, 2025, the parties shall make pretrial disclosures as required by Fed. R. Civ. P. 26(a)(3), recognizing that witness, deposition, and exhibit designations have deadlines otherwise set in this order.

Objections to the pretrial disclosures shall be served and filed by November 17, 2025, recognizing that witness, deposition, and exhibit designations have deadlines otherwise set in this order.

By November 20, 2025, the parties shall file/serve proposed jury instructions, any preliminary jury instructions, proposed voir dire questions, motions in limine, witness/exhibit lists, and any designations of deposition testimony. Counsel for Plaintiffs, eBay, Mr. Wenig, Ms. Jones, and Mr. Wymer met and conferred but were unable to agree on a number of motions in limine as of the deadline for filing this Order. The parties will continue to attempt to resolve this issue and supplement this Order by September 26, 2025. *Each side may file up to eight motions in limine. The Defendants shall allocate the number of motions. No motion or opposition shall be longer than 5 pages. No replies or sur-replies may be filed.*

By November 26, 2025, the parties shall file a joint pretrial memorandum in accordance with L.R. 16.5(d). Counsel are required to confer twenty-eight days before the final pretrial conference for the purpose of preparing the joint pretrial memorandum.

By November 26, 2025, the parties shall file/serve oppositions to motions in limine, any objections to witnesses or exhibits, and counter-designations of deposition testimony.

Trial briefs shall be filed/served by December 30, 2025.

**NOTE: IF THE COURT RESCHEDULES THE TRIAL, ALL SUBMISSION DATES IN THIS ORDER REMAIN IN EFFECT UNLESS COUNSEL FILE A MOTION SEEKING LEAVE OF COURT TO MODIFY THEM TO SPECIFICALLY DESIGNATED DATES.**

#### **PRETRIAL MEMORANDUM - CONTENTS**

The pretrial memorandum shall set forth:

1. The names, addresses and telephone numbers of trial counsel;
2. Whether the case is to be tried with or without a jury;
3. A concise summary of the positions asserted by the plaintiff, defendant, and other parties, with respect to both liability and damages (including special damages, if any);

4. The facts established by pleadings or by stipulations or by admissions of counsel.

In particular, counsel shall stipulate all facts not in genuine dispute;

5. Contested issues of fact;

6. Any jurisdictional questions;

7. Issues of law, including evidentiary questions, together with supporting authority;

8. Any requested amendments to the pleadings;

9. Any additional matters to aid in the disposition of the action;

10. The probable length of trial, including the expected length of each witness's direct examination;

11. The names of witnesses who shall testify at the trial, and the purpose of the testimony of each witness, i.e., whether factual, medical, expert, etc. Unless the qualifications of any medical or other expert witness are admitted, a brief statement of the qualifications of such witness shall be included; and

12. A **LIST of proposed exhibits**, indicating which exhibits may be admitted without objection and a brief statement of the ground for any objection to the others. Each exhibit shall be numbered if the exhibit is agreed upon. Exhibits which are contested shall be lettered. Counsel shall have pre-marked all exhibits before the start of the trial.

In the event that the case has been settled before the pretrial conference, counsel shall email and/or call the Deputy Clerk and promptly submit closing papers. Compliance with this Order is not excused, absent the filing of closing papers or the entry of a Settlement Order of Dismissal.

Failure to comply with any of the directions set forth above may result in judgment of dismissal or default, or the imposition of other sanctions deemed appropriate by the Court.

IT IS SO ORDERED.

DATED this 18 day of September, 2025



The Honorable Patti B. Saris  
United States District Judge